

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CONNECTU LLC,

Plaintiff,

v.

MARK ZUCKERBERG, EDUARDO SAVERIN,
DUSTIN MOSKOVITZ, ANDREW MCCOLLUM,
CHRISTOPHER HUGHES, and THEFACEBOOK,
INC.,

Defendants.

CIVIL ACTION NO. 1:04-CV-11923
(DPW)

MARK ZUCKERBERG, and THEFACEBOOK,
INC.,

Counterclaimants,

v.

CONNECTU LLC,

Counterdefendant,

and

CAMERON WINKLEVOSS, TYLER
WINKLEVOSS, and DIVYA NARENDRA,

Additional Counterdefendants.

**ASSENTED-TO MOTION FOR LEAVE TO FILE DEFENDANTS' REPLY TO
PLAINTIFF'S OPPOSITION TO DEFENDANTS' JOINT MOTION TO COMPEL
TESTIMONY FROM CONNECTU LLC RESPONSIVE TO DEFENDANTS' AMENDED
30(b)(6) NOTICE**

Defendants Mark Zuckerberg, Dustin Moskovitz, Andrew McCollum, Christopher Hughes, and TheFacebook, Inc.¹ (“The Facebook Defendants”) and Defendant Eduardo Saverin (collectively "Defendants") hereby jointly move for leave to file a joint reply to Plaintiff's Opposition to Defendants' Joint Motion to Compel Testimony From ConnectU LLC Responsive to Defendants' Amended 30(b)(6) Notice ("Joint Reply").

The Joint Reply is necessary to address new issues raised in Plaintiff's Opposition and to clarify the record for the Court. Plaintiff's Opposition contains numerous legal and factual errors which must be corrected. New issues raised in the Opposition include new arguments by Plaintiff relating to the party's meet and confers on the issues presented in the Joint Motion, as well as issues relating to numerous new factual assertions by Plaintiff.

Defendants' Joint Reply with supporting declarations from Joshua H. Walker and Robert B. Hawk (Exhibits A-C) will clarify these issues and assist the Court in ruling on Defendants' Joint Motion to Compel Testimony From ConnectU LLC Responsive to Defendants' Amended 30(b)(6) Notice.

CERTIFICATION PURSUANT TO LOCAL RULE 7.1

Counsel for Defendants certify that pursuant to Local Rule 7.1, the parties have conferred regarding the issues presented by this motion, and that counsel for Plaintiff ConnectU (Troy E. Grabow) consents to the filing of the Joint Reply.

¹ Defendant Eduardo Saverin is represented by separate counsel in this matter.

Dated: October 25, 2005.

Respectfully submitted,

/s/ Robert D. Nagel /s/

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* Admitted Pro Hac Vice

Dated: October 25, 2005.

Respectfully submitted,

/s/ Robert B. Hawk /s/

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CERTIFICATE OF SERVICE

I hereby certify that on October 26, 2005, a true and correct copy of the foregoing document was served on counsel of record by use of the Court's ECF system.

[[/s/]] Robert D. Nagel

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